

9/17/18

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re:	Bankruptcy 1:18-bk-02120-HWV
Harold E Moore,	Chapter 13
Debtor,	
U.S. Bank National Association, not in its Individual Capacity but Solely as Trust NRZ Pass-Through Trust X,	Related to: Doc. No. 26
Movant,	Hearing Date: 9/18/2018 @ 9:30 a.m.
v.	
Harold E Moore and Charles J DeHart, Esq., Ch. 13 Trustee,	
Respondents	

STIPULATION RESOLVING
MOTION FOR RELIEF FROM STAY

AND NOW, comes Movant, U.S. Bank National Association, not in its Individual Capacity but Solely as Trust NRZ Pass-Through Trust X, by and through its undersigned counsel, RAS Citron, LLC, and, Debtor, Harold E Moore ("Debtor"), by and through his undersigned counsel, Michael S Travis, Esq. and together file this Stipulation Resolving Motion for Relief from Stay (the "Stipulation"), stating as follows:

1. The automatic stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. Movant has an interest in Debtor's property more fully described as that certain real property located at 1716 Orrs Bridge Road, Enola, Pennsylvania 17025 (hereinafter the "Property").
3. As of the date of this Stipulation, the total post-petition arrears to Movant are \$2,970.20.
4. Secured Creditor's attorneys fees and filing costs for the instate Motion for Relief are \$850.00 and \$181.00 respectively, totaling \$1,031.00.
5. The Debtor shall amend the Chapter 13 Plan to include the post-petition default of \$4,001.20

within 15 days of the entering of this Order.

6. Debtor further agrees that he shall continue to make all property tax payment as they become due and maintain insurance coverage on real property. Debtor shall provide proof of insurance prior to the expiration of the current policy.

7. If Debtor defaults on any payments pertaining to this stipulation or property tax payment or maintain and provide proof of insurance coverage, Movant may send Debtor and counsel a written notice of default of this Stipulation. Movant may send the written notice by fax or e-mail, instead of or in addition to regular mail. If the default is not cured within fourteen (14) days of the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Property without further hearing. If Debtor sends a payment that is returned for insufficient funds, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Property without further hearing. If the default is not cured by payment within fourteen (14) days of the date of mailing of the Notice of Default, Movant shall have the right to have an Order terminating the automatic stay entered.

8. If Debtor has defaulted on the Stipulation in two separate months then, if Debtor defaults a third time, Movant may file a Certification of Default without having to first send Debtor notice of the Default.


9. In the event the instant bankruptcy case is converted to a case under Chapter 7 of the Bankruptcy Code, the Debtor shall cure the pre-petition and post-petition arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten day period, such failure shall be deemed a default under the terms of this Stipulation and Movant may send Debtors and counsel a written notice of default. If the default is not cured within ten (10) days from the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Property.

10. This Stipulation may only be modified by a revised Stipulation filed on the docket in the Bankruptcy. No oral modifications are permitted and any allegation that the Stipulation was modified orally will be disregarded as evidence. No written modifications are permitted, except for a revised Stipulation filed on the docket in the Bankruptcy.

Agreed to by:

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 10-3-18
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Dated: September 12, 2018